

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Todd County School District
Accountability Review - Focus Monitoring Report 2008-2009**

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Dates of On Site Visit: January 27&28, 2009

Date of Report: February 23, 2009

3 month update due: May 23, 2009

Date Received:

6 month update due: August 23, 2009

Date Received:

9 month update due: November 23, 2009

Date Received:

Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

(1) That the requirements of this article are carried out;

(2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:

(a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and

(b) Meets the educational standards of the state education agency, including the requirements of this article; and

(3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

(1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;

(2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and

(3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1. GENERAL SUPERVISION

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from report of November 27, 2002.

24:05:25:04. Evaluation procedures.

A variety of assessment tools and strategies must be used to gather relevant functional and developmental information about the child to determine eligibility and program placement.

Through a review of 18 student records, the monitoring team found the district staff did not include functional information in the evaluation process or understand that this information was to be summarized and used for determining specific skill areas affected by the student's disability, the student's present level of academic performance, their progress in the general curriculum or development of annual goals and short term instructional objectives. Functional assessment information is available through a variety of sources in the district, however, there is not an established process across all grade levels and disciplines for collecting, analyzing, summarizing or integrating the information into the 25 day evaluation process for all eligible students.

Follow-up: January 27 & 28, 2009

Indicator 15

Finding:

Through a review of 16 student records the monitoring team found functional assessment reports did not contain skill specific information needed to develop student programs. Functional information that was available was brief, generic in nature and did not identify student specific skills. In some instances, student worksheets were present in the record but there was no evidence the information was analyzed into a written report for parents. In other cases, functional assessment was not available for all skill areas affected by the disability.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: The district will review its policy, procedure and practice regarding evaluation used for the purpose of determining eligibility and what will be used for	May 15, 2009	Special Education Director and	

<p>functional assessment.</p> <p>The districts functional assessment report will include a list of specific skills the student has and a list of specific skills the student will need to learn for each skill area affected by the disability including transition.</p> <p>Data Collection:</p> <p>The district will receive technical assistance regarding this issue and the date, provider and participants will be reported as part of the progress report.</p> <p>Each special education teacher will submit a copy of:</p> <ol style="list-style-type: none"> 1. the prior notice/consent for evaluation 2. copies of all the evaluation reports including functional, 3. a copy of the prior notice for the eligibility/IEP meeting, and; 4. a copy of the IEP for <u>one student who has been initially evaluated or reevaluated</u> during the progress reporting period. 		staff	
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3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

2. GENERAL SUPERVISION

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from report of November 27, 2002.

24:05:30:16.01.Transfer of parental rights.

24:05:27:01.03 Content of individualized education program

The student and their parents must be informed of the transfer of parental rights one year prior to the student turning 18. In a review of 3 student records, there was no indication the student or parents were informed of the transfer of rights one year prior to the student turning age 18.

Follow-up: January 27 & 28, 2009

Finding:

Through a review of student records the monitoring team found that parents and students were informed rights transferred at age 18.

Corrective Action: None

3. GENERAL SUPERVISION

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from report of November 27, 2002.

24:05:27:01.03 Content of individualized education program

For each student, beginning at age 14, the IEP must include a statement of the transition service needs of the student that focuses on the student's course of study. For each student, beginning at age sixteen, a statement of the needed transition services is required including interagency

responsibilities or any needed linkages. The course of study for each student is a compilation of the required courses to graduate from high school, however a more detailed and more individualized approach to the course of study is required. Specific courses that are tied to each student's life planning outcomes should be discussed by the IEP team and incorporated into the IEP document. The course of study should include all of the classes that the student is projected to take through graduation. Through interview and a review of student records the review team found transition evaluation was consistently a survey, which includes questions about the students future and was compiled by the teacher and student. This information must be used to develop a plan for students approaching transition age in order to design an outcome-oriented process, which promotes movement from school to post-school activities.

Follow-up: January 27 & 28, 2009

Finding:

Through a review of student records the monitoring team found excellent transition plans in place for students of transition age.

Corrective Action: None

4. GENERAL SUPERVISION

State Performance Plan - Indicator 13: Transition Plans

Percent of youth aged 16 and above with an IEP that included coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Follow-up: January 27 & 28, 2009

ARSD 24:05:27:13.02. Transition services. Transition services are a coordinated set of activities for a student with a disability, designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's strengths, preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

Finding: None

Through a review of eight students requiring transition follow-up, two have graduated, one transferred to another district, and two dropped out of school. The transition plans for the remaining three students were reviewed and found to meet all content requirements.

Corrective Action: None

5. GENERAL SUPERVISION

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from report of November 27, 2002.

24:05:27:01.03 Content of individualized education program

A student's IEP must contain present levels of performance based upon the skill areas affected by the students identified disability. The present levels of performance are based upon the functional assessment information gathered during the comprehensive evaluation process.

In a review of 18 student files, present levels of performance were not linked to functional evaluation.

Follow-up: January 27 & 28, 2009

Indicator 15

Finding:

Through a review of 16 student records, present levels of performance were not linked to functional evaluation.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: Data Collection: The documentation submitted for General Supervision number one will be used to verify correction to the issue.	May 15, 2009	Special Education Director and Staff	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

6. GENERAL SUPERVISION

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from report of November 27, 2002.

24:05:27:01.01. IEP team.

A student's IEP team must include a representative of the school district who:

- Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
- Is knowledgeable about the general curriculum; and
- Is knowledgeable about the availability of resources of the school district.

In 8 out of 18 student records reviewed, an administrator or designee did not sign as a participant at the meeting.

Follow-up: January 27 & 28, 2009

Finding: None

Through a review of student records, the required members participated in the IEP team meetings.

Corrective Action: None

7. GENERAL SUPERVISION

State Performance Plan - Indicator 1: Graduation Rate

Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

Follow-up: January 27 & 28, 2009

ARSD: 24:05:27:12. Graduation requirements. Completion of an approved secondary special education program with a regular high school diploma signifies that the student no longer requires special education services. A regular high school diploma does not include an alternative degree that is not fully aligned with the state's academic standards, such as a certificate or a general educational development credential (GED). Graduation from high school with a regular high school diploma constitutes a change in placement requiring written prior notice in accordance with this article.

Finding: None

The Todd County School District has implemented many initiatives for all students to increase graduation rates. For special education students, the district maintains smaller caseloads to strengthen the relationships between students and teachers. IEPs reflect cognitive and behavioral interventions by teachers who discuss the impact of dropping out with the students. High School Exceptional Education staff help students to set future goals and develop transition plans to react to those goals.

Corrective Action: None

8. GENERAL SUPERVISION

State Performance Plan - Indicator 3: Participation and performance of children with disabilities on statewide assessments.

1. Percent of districts meeting State's AYP objectives for progress for disability subgroup.
2. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
3. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

Finding: January 27 & 28, 2009

Indicator 15

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

(5) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with § 24:05:14:14. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, the IEP will include a statement of why.

Through a review of 22 student records, data gathered by the team indicated accommodations/modifications did not consistently relate to the skill areas affected by the disability for one student, were not consistently provided in the student's instructional program for four students and accommodations identified in the IEPs for State/District wide assessment were not consistently used during the assessment administration for three students.

Corrective Action: Document the specific activities	Timeline	Person(s)	(SEP Use
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and procedures that will be implemented and the data/criteria that will be used to verify compliance.	for Completion	Responsible	Only) Date Met
Activity/Procedure: 1. The district will review current policy/procedure to determine why discrepancies are occurring. 2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments. 3. Train IEP staff and testing coordinator in the procedures/process. 4. Implement procedures and collect data to verify accommodation are appropriately documented and provided during state/district assessments. Data Collection: The district will collect and submit to SEP the following data: 1. Written description of the districts review process to identify why the discrepancies are occurring. 2. Written description of the process the district will implement to correct the discrepancies. 3. Training documentation to include the date staff training occurred, name of individual who provided the training and sign-in sheet with the names of all participants/position titles, who attended the training.	April 15, 2009	Special Education Director and Staff & Testing Coordinator	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

9. GENERAL SUPERVISION

State Performance Plan 4: Suspension/Expulsion:

Percent of districts identified by the State as having significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year and by race and ethnicity.

Follow-up: January 27 & 28, 2009

ARSD: 24:05:26:01. Suspension from school. The suspension of pupils in need of special education or special education and related services includes the general due process procedures used for all pupils and the additional steps in the process specified in this chapter that a district must take if the student is receiving special education or special education and related services under an individualized education program.

ARSD: 24:05:26.01:01. Expulsion from school. The expulsion of students in need of special education or special education and related services includes the general due process procedures used for all students and the additional steps in the process specified in this chapter that a district must take when the student is receiving special education or special education and related services under an individual education program.

Finding: Need to review, policy, practice and procedure.

Through a review of student records the monitoring team found suspension data was well documented. Functional behavior assessments, manifestation determinations, committee meeting recommendations and parent notice were available in the record.

In reviewing student records for suspension procedures the monitoring team expressed concerns regarding the following issues:

1. It was difficult to determine when instruction began (i.e. day 11), and where/how instruction would be provided.
2. Behavior Improvement Plans (BIPs) appeared to a "last resort" rather a proactive approach to preventing another series of suspensions from occurring.
3. Formal behavior evaluations did not appear to be an option to determine if other areas of disability were a possibility.
4. Some IEPs considered the behaviors to impede learning and others did not.
5. The IEP teams did not seem to meet to address suspension issues until the student met the 10 cumulative days.

The district needs to consider interventions for special education students who are suspended beginning day one of suspensions so the team can meet to determine the impact of the behavior/suspension on the IEP and provision of future service.

Corrective Action: None